



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 15th day of March, 2004

Essential Air Service at

ATHENS, GEORGIA

under 49 U.S.C. 41731 *et seq.*

**Served: March 18, 2004
DOCKET OST-2002-11348**

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department of Transportation extends the service obligation of Mesa Air Group, Inc., d/b/a Air Midwest (Air Midwest), at Athens, Georgia, for an additional 30 days, through [April 14, 2004](#).

Background

On March 14, 2003, Air Midwest filed a 90-day notice of its intent to suspend its unsubsidized service at Athens, effective June 14, 2003. By Order 2003-4-21, April 28, 2003, the Department prohibited Air Midwest from suspending service beyond the end of its 90-day notice period, through July 14, 2003, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended Air Midwest's service obligation for additional 30-day periods, the latest through [March 15, 2004](#), by Order [2004-2-1](#).

Although we have received proposals, this case will not be completed before the end of the current hold-in period. Therefore, in accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation at Athens for an additional 30 days, or until suitable replacement service actually begins, whichever occurs first.

This order is issued under authority assigned in 14 CFR 385.12(k)(5).

ACCORDINGLY,

1. We require Mesa Air Group, Inc., d/b/a Air Midwest, to maintain essential air service consisting of at least three daily nonstop or one-stop round trips between Athens, Georgia, and Charlotte-Douglas Municipal Airport, for an additional 30-day period through [April 14, 2004](#), or until suitable replacement service actually begins, whichever occurs first;¹

¹ In accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation for successive 30-day periods, as necessary, until its proposed service actually begins.

2. We direct Air Midwest to retain all books, records, and other source and summary documentation to support subsidy claims for payment, and to preserve and maintain such documentation in a manner that readily permits its audit and examination by representatives of the Department. Such documentation shall be retained for seven years or until the Department indicates that the records may be destroyed, whichever comes first. Copies of flight logs for aircraft sold or disposed of must be retained. The carrier may forfeit its compensation for any claim that is not supported under the terms of this order;
3. Docket OST-2002-11348, will remain open until further order of the Department; and
4. We will serve a copy of this order on the Mayor and Airport Manager of Athens, and Air Midwest.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, must file such petitions within ten (10) days after the date of service of this order.

This order will be effective immediately, and the filing of a petition for review shall not preclude its effectiveness.

By:

RANDALL D. BENNETT
Director
Office of Aviation Analysis

(SEAL)

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<http://dms.dot.gov>*